

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA §
§
v. § No. 4:21CR167
§ Judge Kernodle
JOHN CARL FERRELL, M.D. (1) §

ELEMENTS OF THE OFFENSE

The defendant, John Carl Ferrell, M.D., is charged in Count One of the Information with a violation of 21 U.S.C. § 846, Conspiracy to Possess with the Intent to Distribute and Dispense Controlled Substances. The essential elements which must be proved beyond a reasonable doubt in order to establish a violation of that section are as follows:

1. That you and one or more persons, in some way or manner made an agreement to commit the crime charged in the Information, that is, to possess with intent to distribute the following controlled substances while acting and intending to act outside the usual course of professional practice and without a legitimate medical purpose:

substances containing a detectable amount of Fentanyl;
substances containing a detectable amount of Morphine;
substances containing a detectable amount of Oxycodone;
substances containing a detectable amount of Oxymorphone;
substances containing a detectable amount of Methadone;
substances containing a detectable amount of Hydrocodone;
substances containing a detectable amount of Hydromorphone;
substances containing a detectable amount of mixed Amphetamine Salts (brand name

Adderall);

2. That you knew the unlawful purpose of the agreement;
3. That you joined in the agreement willfully, that is, with the intent to further its unlawful purpose;
4. That the overall scope of the conspiracy involved the controlled substances listed above; and,
5. That you knew or reasonably should have known that the scope of the conspiracy involved the controlled substances listed above.

Respectfully submitted,

BRIT FEATHERSTON
UNITED STATES ATTORNEY

/s/
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed via electronic filing to defense counsel on January 4, 2022.

/s/
Heather Rattan